



Kansas Bureau of Investigation

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MEDIA RELEASE

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Kansas Sexual Assault Kit Initiative

Topeka – The Kansas Bureau of Investigation (KBI) is excited to announce being selected as one of twenty recipients, nationwide, of the National Sexual Assault Kit Initiative (SAKI) Grant awarded by the U.S. Department of Justice’s Bureau of Justice Assistance. During a press conference yesterday in New York City, Vice President Joe Biden, United States Attorney General Loretta Lynch, and Manhattan District Attorney Cyrus Vance Jr. announced awards of nearly \$80 million to address the accumulation of untested sexual assault kits in law enforcement agencies across the country. The KBI was awarded \$2,000,000 – the full amount they requested – to support their proactive, objective evaluation of the issue of previously unsubmitted sexual assault kits in the state of Kansas.

When news of being selected as a SAKI award recipient was received, KBI Director Kirk Thompson said the following:

“Our application for and receipt of this important award demonstrates our commitment to the Kansas criminal justice community and to survivors of sexual assault. By critically evaluating how we have collectively and historically responded to sexual assault, we will identify and implement improvements. With the help of others involved in sexual assault response, our work will make a difference in the lives of victims and ultimately help remove dangerous predators from our streets.”

Kansas Attorney General Derek Schmidt was equally pleased with what this means for the State of Kansas:

“I appreciate the cooperative effort of many parties across the state to create a local answer to a national problem,” Schmidt said. “Availability of these funds will assist our efforts to improve public safety and ensure that key evidence is available to help law enforcement solve and prevent violent crimes.”

The SAKI grant provides funding to support multidisciplinary community response teams engaged in the comprehensive reform of jurisdictions’ approaches to sexual assault cases, and includes testing of previously unsubmitted kits; investigating and prosecuting resulting cases; and addressing the need for victim notification and re-engagement with the criminal justice system. After learning the KBI received the award they requested, Joyce Grover, Executive

Director of the Kansas Coalition Against Sexual and Domestic Violence (KCSDV), made the following statement:

“We are thrilled that Kansas has received this important award. Since the KBI began to examine the issue of previously unsubmitted sexual assault kits in Kansas, KCSDV has been working closely with them to collaboratively address this in a victim-centered way. We believe this funding will not only move us forward in addressing the statewide inventory of previously unsubmitted sexual assault kits, but will also put protocols in place that will reassure future victims that their cases will not be put on a shelf and forgotten. Testing these kits is an important step toward justice for survivors and toward accountability of offenders.”

KCSDV is just one of many agencies that will directly benefit as a sub-recipient of KBI’s SAKI award. Others include the Office of the Kansas Attorney General and the Johnson County Sheriff’s Office Criminalistics Laboratory. A number of law enforcement agencies and county and district attorneys will be eligible to receive funding to support investigation and prosecution of the cases resulting from testing previously unsubmitted sexual assault kits.

Background

In August of 2014, the KBI launched a review of available data to examine the potential existence of unsubmitted sexual assault kits in the state of Kansas. The analysis indicated a more in depth evaluation was warranted and, in November of 2014, the KBI partnered with a number of state and local agencies and convened a multidisciplinary working group. That group, which consists of representatives from the law enforcement, forensic laboratory, prosecutorial, forensic nursing, and victim advocacy communities, was tasked with examining the issue of unsubmitted sexual assault kits in law enforcement property rooms across Kansas and the factors that have led to an accumulation of this evidence. The KBI recognized this to be an issue impacting a number of law enforcement agencies and forensic science laboratories across the country and began proactively addressing this situation within Kansas.

As part of the evaluation process, Kansas law enforcement agencies were asked to identify the number of sexual assault kits, maintained in their inventory, which had not been previously submitted to a forensic laboratory for analysis. A number of agencies provided those numbers and fully participated in this process. To date, 2,008 previously untested sexual assault kits have been identified. The KBI continues their efforts to refine this inventory and determine the total number of unsubmitted sexual assault kits in law enforcement property rooms throughout the state.

The initial inquiry to law enforcement did not set criteria or classify the circumstances under which the kits were collected or maintained, but sought the number of unsubmitted kits possessed by the responding agency. However, an attempt was made to solicit general information about what factors were considered by the agency in deciding not to submit sexual assault kits to a laboratory for forensic analysis. This information has not yet been quantified.

Forensic testing on a number of these kits has begun and will continue. By examining a number of these previously unsubmitted sexual assault kits and thoroughly evaluating related case specific information, the multidisciplinary team will develop statistically supported, evidence-based screening and testing protocols to address the remaining statewide inventory; identify the

underlying factors contributing to the accumulation; and make model policy recommendations to prevent future accumulation of sexual assault kit evidence.

Sexual assault kits are used to collect evidence in a variety of cases and circumstances. While there are a number of factors that may be considered by law enforcement officers when deciding whether or not to submit this evidence for forensic analysis, this project, in part, seeks to evaluate the validity of those factors. The Kansas law enforcement community has been supportive of this project and welcomes evidence-based best practices and model policy recommendations from the multidisciplinary team.

For clarification, unsubmitted kits are those in police custody that have never been submitted to a crime laboratory for testing. Untested kits are those submitted to crime labs but are delayed for testing for longer than 30 days (e.g. as a result of backlog). These are separate and distinct issues. The focus of this project is on the issue of unsubmitted kits.

To evaluate and address an issue that evolved over time is a very complex process – it continues to be a work in progress. The KBI will continue working with their partners to evaluate current practices, identify where change is needed, and develop a path forward. This is a systematic approach that will take time while they continue to be mindful of the immediate and ongoing needs the criminal justice community has for forensic laboratory services in our state.

The mission of the KBI is to provide professional investigative, laboratory, and criminal justice information services to Kansas criminal justice agencies for the purpose of promoting public safety and preventing crime in Kansas. This initiative is in perfect alignment with that mission. The KBI is committed to working collaboratively with their criminal justice partners, utilizing science and technology in the investigation of sexual assaults and sharing criminal investigative resources to remove these predatory offenders from our communities and reduce victimization in Kansas through the implementation of a statewide strategy.

Research and case experience supports the value of collecting and testing sexual assault evidence. Advances in science and technology can be leveraged to the benefit of these investigations more today than ever before. Cases may be linked and serial offenders identified. Subsequent assaults can be prevented.

The attached fact sheet provides more information about this important initiative, the membership of the working group, accomplishments, and future goals and objectives.

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